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7 **BEFORE THE**
8 **DEPARTMENT OF CONSUMER AFFAIRS**
9 **BUREAU OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. VN-2006-1910

12 LUCIRALI MEZA,
13 aka LUCIRALI MEZA BARRERA,
14 aka LUCY SEUNG
693 Pepper Drive, Apt. E
Hanford, CA 93230
15 Vocational Nurse License No. VN 209203

A C C U S A T I O N

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) brings this
20 Accusation solely in her official capacity as the Executive Officer of the Bureau of Vocational
21 Nursing and Psychiatric Technicians, Department of Consumer Affairs.

22 2. On or about May 7, 2004, the Bureau of Vocational Nursing and
23 Psychiatric Technicians issued Vocational Nurse License Number VN 209203 to Lucirali Meza,
24 aka Lucirali Meza Barrera, aka Lucy Seung (Respondent). The Vocational Nurse License was in
25 full force and effect at all times relevant to the charges brought herein and will expire on April
26 30, 2010, unless renewed.

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1 conclusive evidence of the conviction. . . .”

2 9. California Code of Regulations, title 16, section 2521 states, in pertinent
3 part:

4 “For the purposes of denial, suspension, or revocation of a license pursuant to
5 Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime or
6 act shall be considered to be substantially related to the qualifications, functions or duties of a
7 licensed vocational nurse if to a substantial degree it evidences present or potential unfitness of a
8 licensed vocational nurse to perform the functions authorized by his license in a manner
9 consistent with the public health, safety, or welfare. . . .”

10 10. Section 125.3 provides, in pertinent part, that the Bureau may request the
11 administrative law judge to direct a licentiate found to have committed a violation or violations
12 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
13 enforcement of the case.

14 **FIRST CAUSE FOR DISCIPLINE**

15 **(Conviction of a Substantially Related Crime)**

16 11. Respondent is subject to disciplinary action under Sections 490 and 2878,
17 subdivision (f), as defined in California Code of Regulations, title 16, section 2521, in that on or
18 about July 30, 2007, Respondent was convicted of a crime substantially related to the
19 qualifications, functions or duties of a licensed vocational nurse which to a substantial degree
20 evidences her present or potential unfitness to perform the functions authorized by her license in
21 a manner consistent with the public health, safety, or welfare. The conviction is as follows:

22 a. On or about July 30, 2007, in a criminal proceeding entitled *The People of*
23 *the State of California v. Lucirali Meza Barrera* in the Superior Court of California, Kings
24 County, Case No. 07CM1157, Respondent was convicted on her plea of *guilty* to count one,
25 violation of California Penal Code section 273a(a) (child endangerment), a felony. The Court
26 ordered Respondent to five (5) year probation, two (2) days jail, provide DNA testing pursuant
27 to Penal Code section 296(a)(1), provide samples pursuant to Penal Code section
28 298.1(b)(1)/298.1(b)(2), and pay restitution, fines and penalties.

1 b. The circumstances of the conviction are that on April 3, 2007, Hanford
2 Police Department officers responded, at about 11:36 p.m., to a call for a welfare check of
3 Respondent's children. Respondent's three (3) children, Jade B., age 5, Ian B., age 3, and Neil
4 B., age 1, were found at home alone without supervision. Jade B. told the officers that her
5 mother was at work and that she would get home when the sun was up. The officers found the
6 residence in disarray and unkept: dirty dishes and trash laying about the kitchen, clutter of clean
7 and dirty clothes in piles all over the floor and in the closet of a bedroom, and blankets laid out
8 on the ground in the living room with the youngest child sleeping on one of the blankets. Most
9 of the apartment's rooms emitted foul odors of dirty diapers, urine, and garbage. The refrigerator
10 was locked and made inaccessible with a bungee cord. Child Protective Services was contacted
11 and the children were released to their custody. The officers contacted Respondent at Avenal
12 State Prison, where she was employed as a licensed vocational nurse. Respondent was detained
13 and arrested at her place of employment.

14 **SECOND CAUSE FOR DISCIPLINE**

15 **(Unprofessional Conduct)**

16 12. Respondent is subject to disciplinary action under Section 2878,
17 subdivision (a), in that Respondent committed acts of unprofessional conduct. Complainant
18 refers to and by this reference incorporates the allegations set forth in paragraph 12, subdivisions
19 (a) and (b), inclusive, above, as though set forth fully.

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1 PRAYER


2 WHEREFORE, Complainant requests that a hearing be held on the matters herein
3 alleged, and that following the hearing, the Director of Consumer Affairs issue a decision:

4 1. Revoking or suspending Vocational Nurse License No. VN 209203,
5 issued to Lucirali Meza, aka Lucirali Meza Barrera, aka Lucy Seung;

6 2. Ordering Lucirali Meza to pay the Bureau of Vocational Nursing and
7 Psychiatric Technicians the reasonable costs of the investigation and enforcement of this case,
8 pursuant to Business and Professions Code section 125.3;

9 3. Taking such other and further action as deemed necessary and proper.

10 DATED: August 7, 2008

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13 TERESA BELLO-JONES, J.D., M.S.N., R.N.
14 Executive Officer
15 Bureau of Vocational Nursing and Psychiatric Technicians
16 Department of Consumer Affairs
17 State of California
18 Complainant

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